

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ISAAC MITCHELL,)	
)	Civil Action No. 06 - 409
Plaintiff,)	
)	Judge Terrence F. McVerry /
v.)	Magistrate Judge Lisa Pupo
)	Lenihan
DR. STANLEY FALOR, <i>Medical Director</i> ; DIANE)	
MANSON, HCA; JOHN MCANANY, RNS;)	
SHIRLEY HICKMAN, <i>Physician Assistant</i> ;)	
NANCY ZEIGLER, <i>Physician's Assistant</i> ; LOUIS)	
FOLINO, <i>Superintendent</i> ; DIANE THOMAS,)	
<i>Administrative Officer</i> ; DAN DAVIS, <i>Acting</i>)	
<i>Grievance Coordinator</i> ; SHARON BURKS, <i>Chief</i>)	
<i>Hearing Director</i> ; JEFFREY BEARD, <i>Secretary of</i>)	
<i>Corrections</i> ; BRANDA MARTIN, <i>Capital</i>)	
<i>Case Unit Manager</i> ,)	
)	
Defendants)	
)	

ORDER

Isaac Mitchell, the Plaintiff in the above captioned case, has filed a Motion to Proceed In Forma Pauperis (Doc. No. 1), but did not include a certified account statement. Although the Complaint submitted names four (4) individual plaintiffs, along with "All Other Capital Case Inmates Similarly Situated," and the preliminary statement to the Complaint states that it is filed as a class action, in no way does the complaint set forth any class action claims. It does not even set forth allegations that would allow for the permissive joinder of parties under Federal Rule 20. The allegations of the complaint pertain solely to Plaintiff Mitchell.¹ No mention is made of any harm to

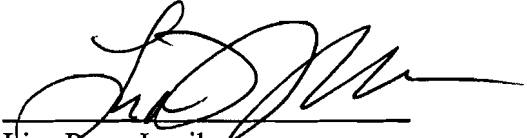
¹At the time this complaint was received by the Clerk of Court for filing, three additional complaints were included. Each complaint listed the same named plaintiffs. However,
(continued...)

the other named plaintiffs. It appears to this Court that this is an attempt by the multiple plaintiffs to avoid payment of separate filing fees for each of their complaints. Therefore,

IT IS ORDERED this 1ST day of June, 2006, that the Inmate Account Officer shall file a certified copy of Isaac Mitchell's inmate account statement for the past six months.

IT IS FURTHER ORDERED that the caption of the complaint shall be amended so that ISAAC MITCHELL remains as the sole Plaintiff. All other Plaintiffs named shall be terminated. The Defendants in the caption shall not be changed.

IT IS FURTHER ORDERED that Plaintiff is allowed ten (10) days from this date to appeal this order to a district judge pursuant to Rule 72.1.3(B) of the Local Rules for Magistrates. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.


Lisa Pupo Lenihan
United States Magistrate Judge

cc: ISAAC MITCHELL
EG-7580
SCI Greene
175 Progress Dr.
Waynesburg, PA 15370

FINANCE OFFICE
SCI-GREENE

¹ (...continued)

the listed defendants differed and each complaint's allegations referred solely to only one of the four named plaintiffs. The other three complaints will be filed as separate complaints for each single plaintiff referred to in the allegations.